

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1, 2, 4-22, 24-26, and 28-43 are pending in this application. By this Amendment, claims 20 and 25 are amended; claim 27 is canceled without prejudice to or disclaimer of the subject matter contained therein; and claim 43 is added. No new matter is added. Claims 1, 20 and 31 are the independent claims.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O.

Applicants also respectfully note the present action indicates that the drawings have been accepted by the Examiner.

Allowable Subject Matter

Claims 1, 2, 4-19, and 34-42 are allowed. Claims 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants appreciate that claims 1, 2, 4-19, and 34-42 are allowed; and the indication of allowable subject matter found in claims 29 and 30. However, Applicants submit that claims 20-22, 24-28, and 31-22 are also allowable in view of the foregoing amendments and following remarks.

Claim Rejections - 35 U.S.C. § 102

Claims 20, 21, 25, 28, and 31 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,717,148 to Hall (hereinafter “**the Hall reference**”); claims 20-22, 24-28, and 31-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 54-36357 (hereinafter “**JP ‘357**”); and claims 20-21, 25, 28, and 31 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,399,299 to Stengel et al. (hereinafter “**the Stengel reference**”). Applicants submit that the rejections are respectfully traversed.

Applicants respectfully submit that none of the applied references disclose or suggest each and every element of amended claim 20, and therefore, an anticipatory rejection has not been established.¹

For example, claim 20, as amended, recites, *inter alia*:

a plurality of humidifying segments by folding a sheet-shaped absorptive member along a center fold portion that is formed as a zig-zag shape and a plurality of sectional fold portions along with a sheet-shaped absorptive member in order to compose said plurality of humidifying segments.

In particular, Applicants respectfully submit that none of the applied references disclose or suggest “a center fold portion 60 that is formed as a zig-zag shape,” as taught by amended claim 1.

In other words, the center fold portion 60 is formed so as to fold the humidifying element 58 into approximately half in a longitudinal direction. Namely, the humidifying element 58 is folded into two by the center fold portion (zig-zag shape)

¹ A claim is anticipated only if each and every element as forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP § 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

60. Further, due to the zig-zag shape, the humidifying segments 68 (and a part of center fold portion 60) are formed into the shape as shown in FIGS. 8, 10, and 11. Hence, the element "a center fold portion" 60 that is formed as a zig-zag shape" in claim 20 creates the humidifying element 58 which has a plurality of humidifying segments 68 (i.e., neighboring segments do not overlap each other in the direction of side view of (A)). As a result, the shapes of neighboring humidifying segments are different with respect to each other in the direction of FIG. 10. The center fold portion 60 having the zig-zag shape thus makes the plurality of humidifying element 58, as shown in FIGS. 8, 10, and 11.

In contrast, the center fold portion (to fold the humidify element into two) of Hall is a straight line. As such, the center fold portion (zig-zag shape) of claim 20 and the center fold portion (straight line) of Hall are completely, extremely different. Further, the Steiner and JP '357 references are similar to the Hall reference, and thus, completely different with respect to the features taught in claim 20.

In addition, as shown in FIG. 10, the shape and configuration of neighboring segments 68 of claim 20 are *different* with respect to the each other, whereas all of the humidifying segments of Hall, Steiner and JP '357 are the *same* with respect to each other, which overlap each other in the direction of side view of (B)).

Therefore, Applicants submit that none of the applied references of Hall, JP '357, and Steiner, teach or suggest, *inter alia*, "a plurality of humidifying segments by folding a sheet-shaped absorptive member along a center fold portion that is formed as a zig-zag shape and a plurality of sectional fold portions along with a sheet-shaped absorptive member in order to compose said plurality of humidifying segments," as recited in amended claim 20.

Since the Hall, the JP '357, and the Stengel references fail to disclose each and every element of claim 20, they cannot provide a basis for a rejection under 35 U.S.C. § 102(b) and, thus, are allowable. Claims 21, 22, 24-28, and 31-33, depend from amended claim 20 and, therefore, allowable for similar reasons to those discussed above with respect to claim 20.

For at least these reasons, the Examiner is respectfully requested to reconsider and withdraw the § 102 rejection of claims 20-22, 24-28, and 31-33.

Entry of After Final Amendment

Entry of this amendment is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of the Amendment is thus respectfully requested.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. Further, the above remarks demonstrate the failings of the outstanding rejections, and are sufficient to overcome the rejections. However, these remarks are not intended to, nor need they, comprehensively address each and every

reason for the patentability of the claimed subject matter over the applied prior art. Accordingly, Applicants do not contend that the claims are patentable solely on the basis of the particular claim elements discussed above.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned, at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By

John A. Castellano Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

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